

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

In re
Holly K. McClure-Larson,
Debtor.

Chapter 13
Case No. 18-25031-svk

ORDER MODIFYING STAY TO PERMIT EVICTION

The Debtor's landlord, Mitchell Bank (the "Movant"), filed a motion for relief from stay to evict the Debtor from the property located at 3632 East Underwood Avenue, Cudahy, Wisconsin (the "Property"), due to nonpayment of post-petition rent and the expiration of the Debtor's lease. Due and proper notice of the motion was given, and the Debtor responded to the motion. She did not dispute the factual allegations in the motion. However, she requested any order granting the motion be stayed for 14 days following entry pursuant to Bankruptcy Rule 4001(a)(3). The Movant objected to the response and requested the order be effective immediately. The Court declines to waive the 14-day stay. Accordingly,

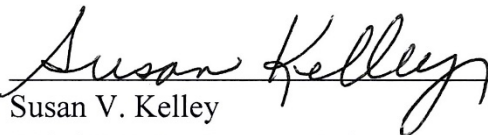
IT IS THEREFORE ORDERED: the stay of 11 U.S.C. § 362 is modified to permit the Movant to exercise its rights and remedies to collect post-petition rent and evict the Debtor from the Property in accordance with nonbankruptcy law. Unless this case is dismissed, the Movant is not entitled to collect pre-petition rent from the Debtor.

IT IS FURTHER ORDERED: all other relief requested in the motion is denied.

IT IS FURTHER ORDERED: this order is stayed for 14 days after entry pursuant to Bankruptcy Rule 4001(a)(3).

Dated: July 10, 2018

By the Court:


Susan V. Kelley
Chief U.S. Bankruptcy Judge